

**UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

In re

FREEDOM INDUSTRIES, INC.

Case No. 14-20017

Chapter 11

Debtor-In-Possession.

ORDER DENYING DIVERSIFIED SERVICES, LLC'S FEE APPLICATION

On this day the Court considered the amended application filed by Diversified Services, LLC ("Diversified") for Payment of Administrative Expenses incurred from January 9, 2014 through August 4, 2014. Upon review of the Court file, pleadings, and the Amended application by Diversified the Court **FINDS** the following:

1. Administrative Order Number 2 [Docket 235] established that in order to have any services provided to/for the Debtor's estate that were performed prior to March 31, 2014 considered for allowance, an application must be filed by April 15, 2014. Further, professionals shall file monthly itemized applications for fees and expenses that that comply with this order by the 15th of each month for every month for work performed the previous month. Each application was to identify the work performed in sufficient detail pursuant to United States Trustee Guidelines for Reviewing Applications for Compensation and Reimbursement of Expenses Filed under § 330 as required by Local Rule 2016-1, and must have also included any amounts approved and paid in prior interim fee applications.

2. A review of the pleadings and case file reflect that Diversified failed to seek Court approval as an approved Professional in the case to provide services to the Debtor's estate at any time. Additionally, it is not clear if Diversified had been authorized by Officers of Freedom or the Chief Restructuring Officer to provide services for which they seek payment.

3 On December 16, 2014, almost eight months ago, this Court entered an Order [Docket 648] directing Diversified to brief the matter setting forth any and all evidence relating to Diversified's

approved employment and compliance with Bankruptcy Code § 327, 328, 330, and 331 allowing approval its fees for services performed.

4. Diversified has failed to submit the required brief outlining why its entitled to consideration for payment, or a reply of any nature to the Court's December 16, 2014 Order.

Therefore, the Court **DENIES** the fee application as submitted by Diversified Services, LLC for the time period of January 9, 2014 through August 4, 2014 for failure to comply with Administrative Order Number 2 and Bankruptcy Code § 330 as required by Local Rule 2016-1,

IT IS SO ORDERED.

ENTERED: AUG - 6 2015

A handwritten signature in black ink, appearing to read 'R. Pearson', is written over a horizontal line.

RONALD G. PEARSON, JUDGE